

Reference: 16/00311/OUT

Applicant: J H Hallam & Son Limited

Location: Land off Beech Drive Thornton

Proposal: Residential development of up to 48 dwellings (Outline - access)

RECOMMENDATION:- Grant subject to conditions and S106 agreement.

Introduction:-

This application is to be considered at Planning Committee in accordance with the Scheme of Delegation, as it is an application that has attracted community interest and the Chief Planning & Development Officer considers it necessary to be determined by Planning Committee.

Background

This application is a resubmission of planning application 14/01274/OUT which was refused permission on 16th April 2015 and is currently the subject of an appeal to be heard by Public Inquiry in June 2016. The site and the applicant remain the same as previously.

The reason for refusal of application 14/01274/OUT was as follows:

“The development, by virtue of its scale and location would impact upon a settlement with limited infrastructure and services which would be contrary to the spatial distribution of growth as outlined within the Hinckley & Bosworth Core Strategy 2009. The housing proposed would exceed the needs of the area and allocation of growth as set out in Policy 10 of the Core Strategy and would therefore be contrary to the development plan. In addition, the proposed development would be located outside of the settlement boundary contrary to Policy NE5 of the Hinckley & Bosworth Local Plan 2001. Consequently, the development is considered to unsustainable as defined by Paragraphs 7 and 14 of the National Planning Policy Framework.”

Application Proposal

This current, revised application now proposes the following:

- The reduction in the number of residential units originally proposed from 49 to 48
- 29 open market units and 19 affordable units (approximately 40% affordable)
- the unit removed from the original application was the one previously shown for illustrative purposes as closest to the rear gardens of 128 to 130 Main Street.
- the deletion of the unit will also result in a reduction in suggested development adjacent to the public right of way to the northern boundary of the application site.
- The Right of Way (R85) will remain in its existing position and there are new cycle/pedestrian links around the northern edge of the site
- A green infrastructure network including a children’s playspace, areas of informal public open space, retained hedgerow, National Forest and surface water management features.

Site and Surrounding Area

The site covers an area of 2.15 hectares and comprises a single pastoral unit. The site has a steep topography, sloping down towards the south west and is enclosed to all elevations by mature native hedgerow and a belt of trees along the south western side.

The post war residential estate of Hawthorn/Beach Drive lies to the north west of the site and Main Street is to the north east.

Thornton is a small, linear settlement which has developed through ribbon development along Main Street. Although modern infill developments and modernisations have taken place along Main Street, the majority of modern development has been towards the southern fringe of the village.

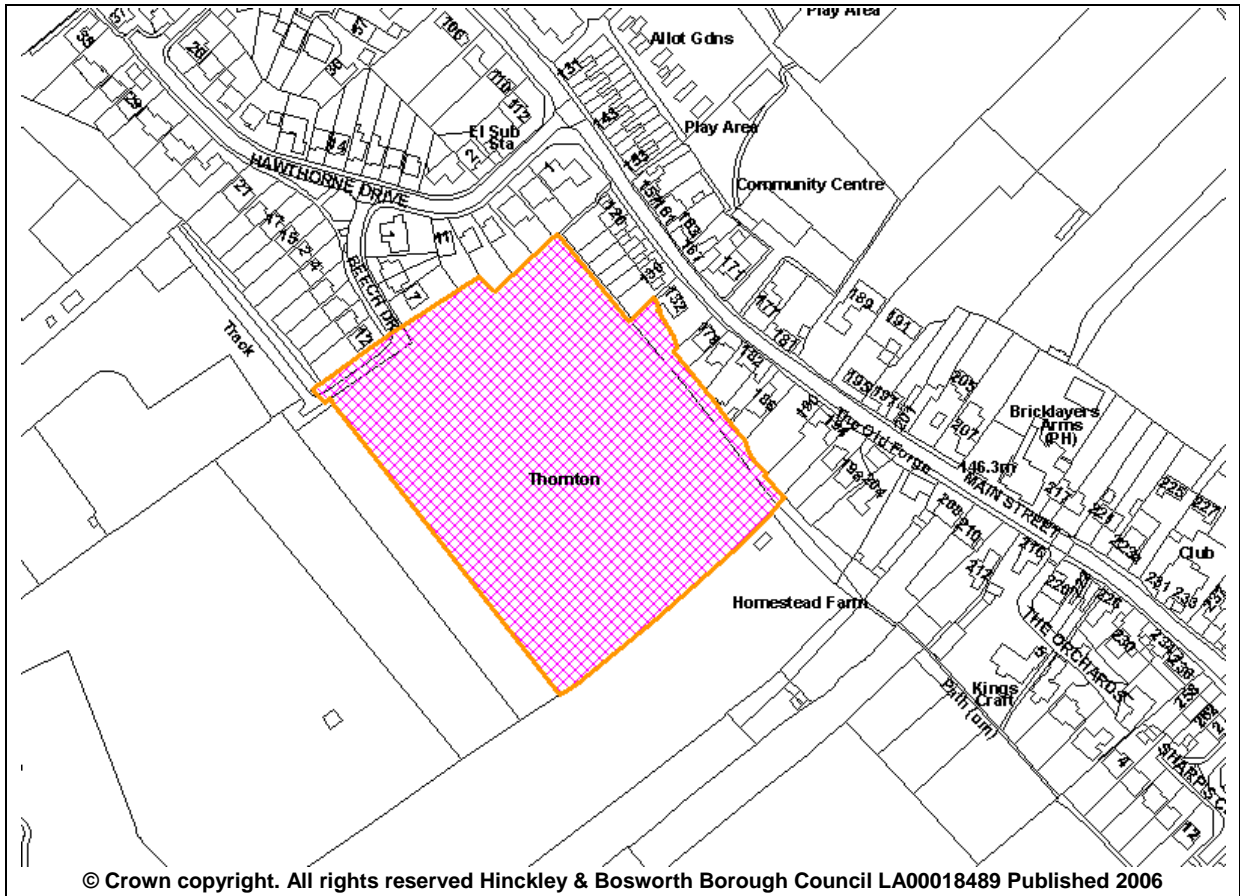
The site is located outside of, but adjacent to the settlement boundary of Thornton as defined by the adopted Hinckley & Bosworth Local Plan proposals map (2001).

Technical Documents submitted with the application

Topographical Survey
Planning Statement
Design and Access Statement
Topographical Survey
Flood Risk Assessment
Transport Assessment
Phase 1 Desktop Study
Ecological Appraisal
Heritage and Archaeology
Landscape Review
Arboricultural Report
Archaeology Desk Based Assessment
Foul and Storm Water Drainage Strategy

Relevant Planning History:-

04/00516/GDO	Formation of agricultural access way	GDO	19.05.04
10/00712/COU	Change of use from existing agricultural land to pony paddock and the erection of a stable	Approved	01.12.10
14/01274/OUT	Residential Development of up to 49 units	Refused	16.04.2015



Consultations:-

No objection has been received from:-

Environment Agency

No objection subject to conditions has been received from:-

- Leicestershire County Council (Public Rights of Way)
- Leicestershire County Council (Highways)
- Leicestershire County Council (Archaeology)
- Leicestershire County Council (Ecology)
- Environmental Health (Pollution)
- The National Forest Company
- Hinckley and Bosworth Borough Council (Waste Minimisation)
- Severn Trent Water Ltd

Leicestershire County Council (Drainage) has objected to the application due to the methodology used to calculate greenfield run-off rates, updated information from the applicant is being considered at the time of writing this report.

No comments have been received in regard to this application from:-

NHS England (update awaited at the time of writing this report)

As a result of the Developer Contribution consultation, the following requests have been made:-

Leicestershire County Council (Civic Amenity) requests £3,138

Leicestershire County Council (Education) requests £0 (primary), £119,412.82 (secondary) and £0 (Post 16)

Leicestershire County Council (Highways) requests the following contributions:-

Travel Packs - £52.85 per pack, 6 month bus passes, two per dwelling (average £350.00 per pass), new/improvements to 2 nearest bus stops (including raised and dropped kerbs to support modern bus fleets with low floor capabilities - £3263.00 per stop), information display case at a nearest bus stop (to inform of the nearest bus services in the area - £120.00 per display).

NHS England – a previous request being updated at the time of writing this report – previously requested £24,897.18 to contribute towards the extension of the Markfield GP Practice.

Bagworth and Thornton Parish Council have objected to the application on the following grounds:-

- The application site is located on green belt land.
- Consideration of this development prior to the publication of the 5-year plan and 10-year plan would be inappropriate and premature.
- Some information submitted within the application is incorrect.
- Traffic and highway concerns in terms of accessibility, capacity, road safety for drivers and pedestrians (particularly school children) and the generation of traffic along Hawthorn Drive/Main Street.
- The proposal will place additional pressures on the local infrastructure and services, particularly Thornton Primary School and the nearest health centre.
- There are more suitable Key Rural Centres for the proposed development.
- The area has already contributed significantly to housing supply within the Hinckley and Bosworth Borough.
- The public consultation undertaken by the developer has been inadequate
- There are capacity issues with the local foul sewage disposal system.
- There are frequent power outages within the area.
- Potential impacts in terms of Ecology and Archaeology have not been adequately explored.

David Treddinick MP has also objected to the scheme on the following grounds:

- Development of a greenfield site, outside of the settlement boundary of Thornton.
- Negative impact on the local community, in particular with regard to highway safety, increase in traffic and school place capacity.
- There has been no housing allocation for Thornton.
- Unwarranted intrusion into the open countryside, and unnecessary extension to a rural village of distinct character.

Site notices and a press notice were displayed and neighbours notified.

One letter of support for the scheme has been received from a member of the public.

96 letters of objection from members of the public have been received in relation to the scheme. These raise the following concerns:-

- Traffic and highway concerns in terms of accessibility, congestion and highway safety. This includes potential difficulties for emergency vehicles accessing the area, and the in the instance of adverse weather conditions, the increase in traffic on the road would result in hazardous conditions.
- The area has inadequate local infrastructure and services to accommodate the development, particularly in regard to schools, public transport and doctor's surgeries.
- The existing schools and doctor's surgeries are oversubscribed, and there is no scope to expand to accommodate extra residents.
- The development of the open space would have an adverse impact on the local wildlife in the area.
- Detrimental impact on the existing residential properties within the area, in terms of overshadowing, loss of privacy and loss of views.
- The development is not in keeping with the character of the small, rural village, and would have a particularly adverse impact on the older section of the village.
- Development is overdevelopment of the area and inappropriate for a village.
- Adverse impact on the environment.
- The development proposed would be unsustainable.
- Development within an area of outstanding natural beauty.
- Loss of open space.
- Detrimental impact on the ecology of the area.
- Development on designated agricultural land.
- Development would result in significant removal and movement of soil, and there is no information submitted by the developer to demonstrate the required structures to support banks.
- Adverse impact on the National Forest.
- The existing footpath on the site would be redirected.
- The existing footpath on the site would no longer be used.
- Proposed opportunities for cycle routes are not realistic and would be dangerous as there is no street lighting between Thornton and surrounding villages.
- The development would be outside of the settlement boundary, located within the countryside.
- Loss of important views within the area.
- Development is proposed to be located on green belt land.
- Increase in flooding within the area.
- There are existing problems with the current drainage system, power and telecommunications within the area.
- The proposed design and layout of the development is not sympathetic to the area.
- The proposed play park would create a divide between existing residents and new residents within the area.
- The development would be contrary to the NPPF and saved policies within the Hinckley and Bosworth Local Plan 2001.

- Development would not benefit the local economy.
- No requirement for more affordable housing within the area.
- Hinckley and Bosworth Borough has already identified areas to meet the 5 year housing supply for the borough, and thus the residential properties within this proposal is not required.
- The current application has not been altered from the previously refused application (our ref: 14/01274/OUT).
- There are other sites available that would be more suitable for the development proposed.
- Similar applications of this nature have been refused.
- The information submitted by the developer is misleading and inaccurate.
- The development is neither needed nor wanted by local residents.
- The public consultation undertaken by the developer has been inadequate.
- There are existing vacant properties within the area.
- Detrimental impact on the quality of life of the existing residents.
- Adverse impacts on the value of property within the area.
- The construction of the development would have an adverse impact on the area.
- In the case of the application approved, it would set a precedent for future development.
- Potentially result in an increase in anti social behaviour and crime in the area.
- There should be protections in place against future development within the area.
- Increase in traffic would result in an increase in air pollution, leading to health problems.
- Ground levelling required for the development would result in large ridges and concrete walls, which are unsympathetic to the existing landscape.
- The developer has not taken into account the traffic generated through visitors to Thornton Reservoir.
- Adverse impact on the sense of community within the village.

Policy:-

Hinckley & Bosworth Core Strategy 2009

Policy 7: Key Rural Centres
 Policy 10: Key Rural Centres within the National Forest
 Policy 14: Rural Areas: Transport
 Policy 15: Affordable Housing
 Policy 16: Housing Density, Mix and Design
 Policy 19: Green Space and Play Provision
 Policy 20: Green Infrastructure
 Policy 21: National Forest
 Policy 22: Charnwood Forest
 Policy 24: Sustainable Design and Technology

Hinckley & Bosworth Local Plan 2001

Policy IMP1: Contributions towards the Provision of Infrastructure and Facilities
 Policy REC2: New Residential Development - Outdoor Open Space Provision for Formal
 Policy REC3: New Residential Development - Outdoor Play Space for Children
 Policy RES5: Residential Proposals on Unallocated Sites

Policy NE5: Development in the Countryside
Policy NE12: Landscaping Schemes
Policy NE14: Protection of Surface Waters and Groundwater Quality
Policy BE1: Design and Siting of Development
Policy BE14: Archaeological Field Evaluation of Sites
Policy BE16: Archaeological Investigation and Recording
Policy T5: Highway Design and Vehicle Parking Standards
Policy T9: Facilities for Cyclists and Pedestrians

Site Allocations and Development Management Policies DPD (Main Modifications) February 2016

DM1: Presumption in Favour of Sustainable Development
DM3: Infrastructure and Delivery
DM4: Safeguarding the Countryside and Settlement Separation
DM6: Enhancement of Biodiversity and Geological Interest
DM7: Preventing Pollution and Flooding
DM10: Development and Design
DM13: Preserving the Borough's Archaeology
DM17: Highways and Transportation
DM18: Vehicle Parking Standards

National Policy Guidance

The National Planning Policy Framework (NPPF) 2012
The National Planning Practice Guidance (NPPG) 2014
The Community Infrastructure Levy (CIL) Regulations 2010
Environmental Impact Assessment Regulations 2011

Supplementary Planning Guidance/Documents

New Residential Development (SPG)
Play and Open Space (SPD)
Affordable Housing (SPD)

Other Material Policy Guidance

Green Space Strategy: Landscape Character Assessment (2006)

Appraisal:-

The following considerations in determination of this application are:-

- Principle of development
- Character and impacts on the countryside
- Highway considerations
- Residential amenity
- Infrastructure obligations and viability
- Drainage and flood risk
- Archaeology
- Ecology
- Pollution
- Agricultural land

Principle of Development

Paragraph 11 - 13 of the National Planning Policy Framework (NPPF) states that the development plan is the starting point for decision taking and that it is a material consideration in determining applications. The development plan in this instance consists of the Core Strategy (2009) and the saved policies of the Local Plan (2001).

In accordance with Paragraph 216 of the NPPF, appropriate weight can also be given to relevant policies of the emerging Site Allocations and Development Management Development Plan Document (SADMP) which has been through Examination in Public, having been through the Main Modifications consultation. The Council is expecting the Inspector's report shortly.

Local Plan

When considering the acceptability in principle of a new building or use within the countryside, the most relevant Local Plan Policy is NE5. This seeks to protect the countryside for its own sake and identifies acceptable land uses within the countryside.

However, since the release of the NPPF and its presumption in favour of sustainable development, criteria a - c of policy NE5 are considered too prescriptive and do not conform to the intentions of the NPPF. Therefore these criteria can only be attributed limited weight in the determination of this application. Any development should, however conform with criteria i to iv and should not have an adverse effect on the appearance or character of the landscape, be in keeping with the scale and character of the existing buildings and the general surroundings and where necessary be effectively screened by landscaping or other methods.

The weight attributed to Policy NE5 also has to be considered in light of the emergence of Policy DM4 of the SADMP which is expected to be compliant with the NPPF and is gaining weight as referenced in the SADMP section of this report below.

Core Strategy

Policy 7 of the Core Strategy provides the overarching policy for Key Rural Centres. Specifically it supports housing development within settlement boundaries that provide a mix of housing types and tenures as set out in Policies 15 and 16 of the Core Strategy

Policy 10 of the Core Strategy seeks to transform the former mining settlements of Bagworth and Thornton into 'Forest Settlements'. The provision of services in Bagworth is the priority of this policy. This will be secured through (amongst other things) the allocation of land for the development of a minimum of 60 new homes in Bagworth. Whilst the policy specifically refers to the housing being located in Bagworth, it does not expressly exclude Thornton as being capable of accommodating some development. As set out, Policy 10 itself says that 60 dwellings is a minimum. The requirement to demonstrate a 5 year housing land supply is also a minimum level of provision and should not be viewed as a ceiling to otherwise sustainable development. There is therefore no policy of protection in relation to Thornton, or the application site in particular, and no express reason why appropriate development should not come forward there. There are also elements of policy 10 that would be supported by the proposed development. These relate to the contribution to delivering the National Forest Strategy in accordance with Policy 21 and supporting the delivery of the Charnwood Forest Regional Park in accordance with Policy 22.

Emerging Site Allocations and Development Management Policies Development Plan Document (SADMP)

The emerging SADMP DPD was submitted to the Secretary of State 25 March 2015 and the hearing sessions were held for four days between the dates of 29 September and 7 October 2015. Following the hearing sessions, the Council then consulted on the proposed Main Modifications suggested by the Planning Inspector which ran between 5 February and 18 March 2016. The Council is now awaiting the Inspector's final report which is anticipated to arrive shortly.

Given that this document is almost nearing the completion of its Examination in Public, appropriate weight can be given to the document including those policies mentioned above.

No sites have been allocated within the emerging Site Allocations and Development Management Policies DPD in Thornton for residential development. However, as set out elsewhere within this report the allocations are a minimum that the Council needs to identify and, as the Local Planning Authority, needs to consider new proposals against the relevant development plan policies and material considerations and whether the development proposed can be considered sustainable.

Policy DM4: Safeguarding the Countryside and Settlement Separation will replace Policy NE5 of the 2001 Local Plan when the SADMP is adopted and will provide guidance on when development would be considered appropriate in the Countryside. This policy can be given moderate weight in the determination of this application. The Policy confirms that development will be considered sustainable where, amongst other things, it significantly contributes to economic growth, job creation and/or diversification of rural business and it does not have significant adverse effects on the open character and landscape character of the countryside, does not undermine the separation between settlements, does not exacerbate ribbon development and, if within the National Forest, contributes to the delivery of the National Forestry Strategy.

Housing Land Supply

Paragraph 47 of the NPPF states that local authorities should identify and update annually a supply of deliverable sites sufficient to provide five years worth of housing against their housing requirements. They should also provide an additional buffer of 5% (moved forward from later in the Plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, authorities should increase the buffer to 20% (moved forward from later in the Plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.

As of 1 October 2015 the Council has 5.69 years supply of housing sites, based on the Sedgefield method of calculation (which proposes that any shortfall should be brought forward from later in the Plan period). The Council have had recent appeal decisions confirming its 5 year housing supply position using the Sedgefield method with a 5% buffer. These decisions include Land south of Markfield Road, Ratby (App/K2420/W15/3003301) as well as Land off Dorchester Road, Burbage (APP/K2420/W/3004910).

The Planning Balance

It is clear from recent planning appeal decisions around the country that a greenfield site that would be in excess of the five year housing requirement for a Local Planning Authority can still be sustainable development, and should be permitted if it is considered as such. As set out above, there is currently a deliverable housing supply of 5.69 years as at October 2015.

Since the decision was made to refuse the previous planning proposal on the application site on 16 April 2015 (14/01274/OUT), the Site Allocations and Development Management

Policies DPD has progressed significantly through its Examination in Public. Throughout the hearing sessions held across September and October 2015, it was apparent that not all sites considered to be reasonable alternatives for development across the Borough had been assessed in the Council's Sustainability Appraisal or Sustainability Appraisal Addendum. Therefore the Council undertook further work to appraise all sites considered developable in the Strategic Housing Land Availability Assessment (SHLAA) 2014 against 24 Sustainability Objectives. Within this additional list of sites to be assessed was the application site (AS686 – Land off Beech Drive). This assessment concluded that development of the site would not have any major adverse direct or indirect effects on sustainability and would have no significant effect (a neutral relationship) on sustainability.

As set out in the application submission Thornton has the following facilities: a convenience store, a repair garage, garden centre and coffee shop, pubs, community centre, recreation ground, church, Primary School, and bus stops. It is near to Bagworth and can be considered to have good access to its facilities.

Other than awaited comments from LCC (Drainage) on the updated drainage strategy submission, no infrastructure provider has raised any concern that Thornton could not accommodate development of the scale proposed, which could contribute an economic support to existing facilities.

In addition to this, the NPPF defines the three dimensions of sustainable development as follows:-

Economic

It is acknowledged that the proposed scheme would contribute towards the wider economy, through construction related employment and the purchasing of materials and services. Further, the development would secure financial contributions for the provision and future maintenance of local infrastructure and would help sustain employment opportunities within the surrounding area and support spend in local facilities.

Social

The delivery of both market and affordable housing is a social benefit. As referenced above there is a primary school, shop, public houses and a community centre within the settlement, catering for some social needs of the development. Residents of this development would to a certain extent rely upon the car to access facilities such as larger shops and doctors within adjacent, larger settlements. In this respect the settlement of Thornton itself would not comprehensively address the social needs of the development. However this must be considered with the contribution the proposal would make to the provision of housing within the borough. The benefits associated with the scheme's contribution towards meeting the established housing needs and supporting existing services within the adjacent settlements has to be given significant weight and consideration. The development would contribute towards the vitality and vibrancy of the wider rural area. The development would also secure improvements to play provision, education, health facilities and green infrastructure within the locality.

Environmental

The site falls within the countryside, where residential development is restricted by Local Plan Policies NE5 and RES5. However, Policy DM4 of the SADMP can be given moderate weight in the determination of this application as it has gained weight since the previous planning decision in April 2015. The Policy seeks to protect the countryside from unsustainable development but development will be considered sustainable where, amongst

other things, it significantly contributes to economic growth, job creation and/or diversification of rural business and it does not have significant adverse effects on the open character and landscape character of the countryside, does not undermine the separation between settlements, does not exacerbate ribbon development and, if within the National Forest, contributes to the delivery of the National Forestry Strategy. In this case, it is considered that there will be economic benefits of the proposal as set out above. In terms of the other provisions of the policy the application site comprises a single pastoral unit. Although the land could be farmed for livestock grazing, due to the size and topography of the site, benefits associated with this, and thus the site's contribution to the rural economy would be relatively small.

Whilst the detailed layout and design is reserved for subsequent approval, the submitted information indicates that the dwellings proposed would be built at a relatively low density to reflect the rural character of the area and the scheme would incorporate areas of tree planting in accordance with the National Forest Planting Strategy and would be landscaped to help it assimilate within its rural setting. Through the development there would be opportunities to enhance the local biodiversity.

Based on the above the scheme is considered to comprise a sustainable form of development, in accordance with adopted and emerging local planning policy, and would contribute towards boosting housing land supply as required by guidance contained in the NPPF.

Summary

As the proposed development is outside the settlement boundary for Thornton as defined in the 2001 Local Plan, there is a technical breach of Saved Policies NE5 and RES5, as residential development is not supported outside the settlement boundary. However, these policies are in the process of being replaced by the Policies of the emerging SADMP and specifically relevant in this case will be Policy DM4 Safeguarding the Countryside and Settlement Separation. This sets out an NPPF-compliant approach to the consideration of applications for development in the countryside and that they can be considered sustainable in certain circumstances.

This application for 48 dwellings would help boost the supply of housing, contributing towards the Council's five year supply position.

Given the assessment above, it is considered that the proposed development can be considered as sustainable and can be supported in principle having regard to relevant development plan policies and emerging planning policies that are material considerations in this case. The assessment of other material considerations in the planning assessment is set out below.

Character and Impact on the Countryside

Criteria i - iii of saved Policy NE5, constitutes design criteria which seeks to ensure that new development in the countryside does not have an adverse effect on the appearance or character of the landscape, is in keeping with the scale and character of existing buildings and the general surrounds, and where necessary is effectively screened.

Policy DM4 of the SADMP confirms that to be considered sustainable proposals should not have significant adverse effects on the open character and landscape character of the countryside, should not undermine the separation between settlements, should not exacerbate ribbon development and, if within the National Forest, should contribute to the delivery of the National Forestry Strategy.

Within the Landscape Character Assessment 2006, Thornton is defined as being within the Forest Hills Character Area. This area's key characteristics include its undulating rural landscape, large scale field pattern, with groups of smaller fields surrounding settlements and linear settlements of former mining villages. The landscape strategy for this area seeks to ensure that the siting and design of new development complements the existing settlement pattern of the area. However, the wider area is more resilient to change due to the evolving nature of the landscape.

The site comprises a parcel of agricultural land, with an area of 2.15 hectares. The land is currently in pastoral use and comprises a single field. The north eastern and north western boundaries are adjacent to existing residential development along Main Street and Beach Drive.

Historically Thornton comprised a linear settlement. However two post war housing estates have been developed to the south of Main Street; Hawthorn/Beach Drive and Highfields/Oakwood/Warwick Close and St Peters Drive. These areas have altered the development pattern of the village.

The application site is situated directly adjacent to Hawthorn/Beech Drive and would provide a continuation of the existing highway and development in a south easterly direction. Land between the two post war-estate developments has been sub-divided into smaller pastoral units, resulting in a structured field pattern and further varying the historic field pattern.

The site rises to the south east, which limits long distance views and there is a belt of woodland tree planting along the south western boundary of the site, which once mature, will limit views in this direction. From the south, the site would be viewed against the context of existing development within the settlement. Accordingly the site is visually and physically constrained and is not viewed prominently within the context of the wider landscape.

The indicative details seek to retain and enhance the existing vegetation and tree planting along the southern and south western boundaries of the site, and a belt of informal landscaping is proposed along the width of the northern boundary. The indicative layout suggests that the development would be inward facing, with rear gardens acting as a further buffer between the built development and the surrounding countryside.

The surrounding residential properties vary in terms of their siting and design, although density of development is relatively low, with most dwellings occupying large plots.

Policy 16 of the Core Strategy requires a mix of housing types and tenures to be provided on all sites of 10 or more dwellings and requires at least 30 dwellings to the hectare to be achieved within rural areas unless individual site characteristics indicate otherwise.

The indicative layout is generally acceptable, although the density proposed is low (23dph). This is considered acceptable as it reflects the site's edge of settlement position. This said, design improvement would be required in respect of the plots abutting the countryside and the specific boundary treatment details in this sensitive location. Further work is also required in relation to the siting and parking arrangements for the affordable units. The layout would be discussed in further detail within any subsequent reserved matters application.

The mix of properties has also been influenced by the surrounding developments which has a mixture of detached, semi-detached and terraced two-storey properties. These design details would be considered in more depth at reserved matters stage.

The proposed landscaping would help to frame and preserve the rural setting of the site and would act as a natural buffer between the open countryside and the development.

The proposed access would continue from an existing spur off Beech Drive. The layout of the development has been carefully considered to demonstrate that the road layout would be achievable given the gradient constraints on the site. The access would be gently graded to minimise the extent of hard engineering required to deliver the access in accordance with the technical highway standards.

Although the development would urbanise this historically rural area, subject to acceptable and sensitive landscaping, design and layout, the consequential impacts are not considered to result in any significant detrimental harm to the character of the area. It is considered that the scheme has the potential to enhance the local landscape and provide increased opportunities for biodiversity and environmental upgrade.

The proposal is therefore considered in environmental terms to be sustainable development. Furthermore, the supporting information has demonstrated that it is likely that a design solution is likely to be achievable, in accordance with the design criteria of Local Plan Saved Policies NE5 and BE1 and DM10 of the SADMP.

Affordable Housing

In rural areas, Policy 15 of the Core Strategy requires that 40% of the dwellings should be for affordable housing. Of these properties, 75% should be for social rent and 25% for intermediate tenure. The scheme proposes 48 dwellings resulting in a requirement for 20 of those proposed to be affordable. The developer is proposing to deliver 19 dwellings for affordable housing for this scheme, being 39.6% of the total number of dwellings proposed against a policy requirement of 40%. This provision is considered acceptable.

By virtue of the evidence provided from the waiting list and the Housing Needs Survey (2011), the developer's offer and mix of affordable housing is considered appropriate to meet the identified need. 5 of the 19 properties should be put forward for intermediate tenure, preferably a mix of 3x2 and 2x3 bed houses.

There is a recognised need for affordable housing in this area. If Committee support the recommendation to grant permission, it will be necessary as part of 106 negotiations to ensure that applicants for affordable housing to have a local connection to the parish of Thornton in the first instance and in the second instance the borough of Hinckley and Bosworth.

In accordance with the Affordable Housing SPD the affordable housing would be required to be spread across the site in clusters to ensure a balanced and appropriate mix of market and affordable housing.

There is a demand in Thornton for affordable properties. The applicant is proposing to deliver a significant level of affordable housing in this area and this is a material consideration that weighs in the balance of meeting the social role of sustainability as supported by Policy DM3 of the emerging SADMP.

Access and Highway Considerations

Policies T5 and BE1 (criterion g) of the Local Plan seek to ensure that new developments have adequate visibility, parking and turning facilities and that the highway design standards within the Leicestershire County Council's "Highways Requirements for Development" are achieved.

Chapter 4 of the NPPF promotes sustainable transport. Paragraph 34 suggests that developments which generate significant vehicle movements should be located where the need to travel would be minimised and the use of sustainable transport modes could be maximised and Paragraphs 37 and 38 recognise and promote the benefits of mixed used developments.

Given the scale of this proposal, it has been accompanied by a Transport Assessment. This has taken account of existing traffic conditions, accessibility, sustainable modes of transport, accident records and vehicular impacts.

The illustrative masterplan shows 48 dwellings arranged around three interconnecting roads. The layout of the development has been examined in detail to demonstrate that the road layout would be achievable given the gradient constraints on the site.

Vehicular access would be from an extension of Beech Drive, which is a 5.5m wide adopted residential road with 1.8m wide footways on both sides. These dimensions would be carried into the development, so that it would also have a 5.5 metre wide carriageway, with footways on both sides.

Pedestrian access would be via the public footpath that currently runs into the site and then along the backs of the houses fronting Main Street (eastern boundary). Leicestershire County Council (Public Rights of Way) have raised no objection to the proposal, subject to the requested condition imposed to secure a scheme for the improvement Public Rights of Way for the site.. A contribution for further improvements to the Rights of Way network is also suggested, but at the time of writing this report further information regarding this request is awaited, as it is not currently considered compliant with the CIL Regulations 2010..

Beech Drive and Hawthorne Drive together serve around 63 houses, connected via a T-junction to Main Street. With the additional 48 dwellings proposed by this application, the number served from this junction would increase to 111 houses. This number would be in accordance with guidance which identifies the numbers of dwellings served from a single point of access.

The Transport Assessment concludes that the development would not materially alter the conditions on the local highway network. However, it has been noted that the visibility for vehicles emerging from Hawthorne Drive is substandard and that the development would add extra traffic past the school on Main Street. To respond to this concern the application proposes to add a junction table at the Main Street/Hawthorne Drive junction.

It is considered that this solution would assist pedestrian crossings of the road and would also assist in reducing speeds to around 20mph. This will have a secondary benefit that the required visibility splay to the right, for vehicles emerging from Hawthorne Drive, will reduce in length and the achievable distance will be more than is required.

In summary, Leicestershire County Council (Highways) has no objection subject to the imposition of planning conditions. On this basis, the scheme is considered to be in accordance with Saved Policy T5 of the Local Plan and guidance contained within the NPPF.

The development is not considered to result in a severe highway impact, in accordance with Paragraph 32 of the NPPF.

Accordingly, subject to the recommended conditions, the construction of a junction table at the Main Street/Hawthorne Drive junction, and confirmation of whether there is a request

from the Public Rights of Way service regarding footpath improvements that complies with the requirements of the CIL regulations, the scheme is considered acceptable in of highway safety terms.

Impacts upon Residential Amenity

Criterion (i) of Policy BE1 of the Local Plan and relevant provisions of emerging Policy DM10 of the SADMP seeks to ensure that development does not adversely affect the privacy and amenity of occupiers of neighbouring properties.

As appearance, layout and scale are not for consideration at this stage, impacts in terms of privacy, overshadowing and the development being of an overbearing form can not be comprehensively considered. These issues were also not raised in the reason for refusal on the original scheme. Notwithstanding this, there has been a revision to the previous scheme to delete one two-storey unit that would have been located adjacent to the public Right of Way and the rear garden boundary of 128-130 Main Street. This suggested improvement to the scheme demonstrates that there would be in excess of 22 metres between existing dwellings and proposed two storey development shown on the illustrative masterplan. It is not considered that the revised development proposal will have impacts on residential amenity that cannot be addressed at the reserved matters stage.

By virtue of its scale the development would result in some impacts, in terms of noise and disturbance, both from vehicle movements and the development itself. The dwellings most likely to be affected would be those adjacent to the site's northern and eastern boundaries.

A Noise Impact Assessment accompanies the application. This assesses potential noise impacts from construction and traffic. The report been considered by Environmental Health (Pollution) and no objections on such grounds have been received.

Infrastructure Obligations

The requirement for developer contributions must be considered alongside the guidance contained within the Community Infrastructure Levy Regulations 2010 (CIL). CIL confirms that where developer contributions are requested they need to be necessary, directly related and fairly reasonably related in scale and kind to the development proposed. The following requests have been received:-

Education

A contribution request has been made from the Local Education Authority based on Department for Education cost multipliers on a formula basis.

The site falls within the catchment area of Thornton Primary School. The School has a net capacity of 140 and 148 pupils are projected on the roll should this development proceed; a deficit of 8 pupil places. There are currently no pupil places at this school being funded by S106 agreements from other developments in the area. There is 1 other primary school within a two mile walking distance of the development: Stanton under Bardon Community Primary School. This has a surplus of 16 spaces, after three S106 funded places have been discounted. There is therefore an overall surplus in this sector after including all primary schools within a two mile walking distance of the development of 8 pupil places. An education contribution will therefore not be requested and cannot be supported for this sector.

A Secondary School contribution request of £119,412.82 has been made for South Charnwood High School. The School has a net capacity of 669 and 796 pupils are projected

on roll should this development proceed - a deficit of 127 pupil places. A total of 2 pupil places are included in the forecast for this school being funded from S106 agreements for other developments in this area and have to be discounted. This reduces the total deficit for this school to 125 (of which 118 are existing and 7 are created by this development). There are no other 11-16 schools within a three mile walking distance of the site. A request for an education contribution in this sector is therefore justified. The contribution would be used to improve, remodel and enhance the existing facilities at the school.

In the Post-16 sector the nearest school to the site is Groby Community College. The College has a net capacity of 911 and 918 pupils are projected on roll should this development proceed; a deficit of 7 pupil places. A total of 7 pupil places are being funded at this school from S106 agreements for other developments in this area and have to be discounted. This results in a deficit/surplus for this school of 0 pupil places. An education contribution in the Post-16 sector is therefore not requested. As the proposed development is less than 250 houses with two or more bedrooms a request for a Special School contribution is not appropriate in this case.

Having assessed the above request, it is considered that the education contribution for £119,412.82 is directly, fairly and reasonably related in scale and kind to the development proposed and would be spent within 5 years of receipt of the final payment.

Highways and Public Rights of Way

The following highway contributions have been sought:-

- Travel Packs; to inform new residents from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack).
- 6 month bus passes, two per dwelling (2 application forms to be included in Travel Packs and funded by the developer); to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at (average) £350.00 per pass)
- New/Improvements to 2 nearest bus stops (including raised and dropped kerbs to allow level access); to support modern bus fleets with low floor capabilities. At £3263.00 per stop.
- Information display case at a nearest bus stop; to inform new residents of the nearest bus services in the area. At £120.00 per display.

These contribution requests are considered to be directly, fairly and reasonably related in scale and kind to the development proposed and thus will be requested.

A contribution for further improvements to the Rights of Way network is also requested by LCC (Public Rights of Way). This would comprise of Access Improvements along existing Public Footpaths R85 between the proposed development site and Highfields, Public Footpath R71 between Main Street and the junction with Public Footpath R85 and Public Footpath R80 between Main Street and Thornton Reservoir. Improvements to these Public Footpaths will enable the residents of the development to travel throughout the village without having to utilise motorised transport.

At the time of writing this report further information regarding this request is awaited as the information currently supporting the request is not considered to be compliant with the

Community Infrastructure Regulations 2010. A further update will be provided to committee through the late items.

Civic Amenity

A contribution request has been made from Leicestershire County Council Environmental Services for £3,138 for enhancing the waste facilities at Coalville Civic Amenity Site. It is estimated that there would be an additional 13 tonnes (approx.) of waste generated by the development and given the total waste collected is 5,898 tonnes per annum. It is not considered that this request is necessary or fairly related to this development, as the impact from this development would be minimal. This request would therefore not meet the requirements of the CIL Regulations 2010 and is not supported as part of the consideration of this application.

Health

A contribution request of £24,897.18 was received from NHS England for the previous application 14/01274/OUT. Justification for this is on the basis that the proposal could result in an increased patient population of 119. The application site falls within the catchment of the Markfield GP Practice. The practice has indicated that an increase in GP sessions would be required and that presently the surgery has no spare capacity. The practice has identified that the surgery premises would need to be extended. The site has the capacity to accommodate an extension. The contribution requested would go towards the premises development which is attributable to the proposed population increase.

It was considered that this contribution was necessary, fairly and reasonably related in scale and kind to the development proposed using Department for Health cost multipliers and was essential to relieve the impact of the development on health provision locally and provide for capacity to deal with the increased population that would arise as a result of this development.

At the time of writing this report an updated request is anticipated. An updated response will be reported to Committee through the Late Items.

National Forest

The application site extends to 2.15ha and the guidance for the National Forest, as referred to by Core Strategy Policy 21, would expect 20% of the site area to be woodland planting and landscaping. This would equate to 0.43ha for this application site.

The National Forest Company has raised no objections to the proposal, subject to a condition requesting further details to be submitted and agreed on how 0.43ha of woodland planting and landscaping will be accommodated within the proposals including tree species and planting densities, including details of additional planting to broaden the depth of the planting belt. Suitable condition wording is recommended to confirm that this planting detail will form part of the reserved matters submissions.

Play and Open Space

Policy 19 of the Core Strategy and Local Plan Policies REC2 and REC3 seek to deliver open space as part of residential schemes. Policies REC2 and REC3 are accompanied by the SPD on Play and Open Space and Green Space Strategy 2005-2010 & Audits of Provision 2007 (Update).

The site is located within 1km of Main Street/Thornton Reservoir Local Open Space. This facility would fall within the remit of Policy REC2.

At the time of writing this report updated figures are awaited from the developer so that the relevant contributions can be requested to meet the policy requirements. There is not expected to be any unresolved issue in this respect. Committee will be updated with the relevant details through the Late Items.

Drainage and Flood Risk

Saved Policy NE14 of the Local Plan states that development proposals should provide satisfactory surface water and foul water measures. In addition, the NPPF sets out at Paragraph 100 that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

The application has been accompanied by a Flood Risk Assessment and the scheme has been considered by the Environment Agency, Severn Trent Water and Leicestershire County Council (Drainage).

LCC (Drainage) has objected to the application as the greenfield run-off calculations within the submitted surface water drainage strategy do not appear to be accurate, and are based on a site area of 3 hectares which includes land outside of the proposed application site. It is also referenced that the development does not include sufficient assessment and utilisation of sustainable drainage systems (SuDS) on site. LCC (Drainage) has provided methods to overcome the objections raised. Updated drainage information has been submitted by the applicant and the LLC (Drainage) response will be reported through the Late Items for this application.

The Environment Agency has raised no objections to the application.

Severn Trent Water has confirmed that it has no objections to the proposals subject to the inclusion of a condition to drainage details for surface and foul sewage have been submitted to and approved by the local planning authority.

In response to the previous scheme (14/01274/OUT) additional correspondence was received from Severn Trent Water confirming that the existing foul sewage system was acceptable and able to cater for unrestricted foul sewage from the site. Severn Trent also confirmed that if there were capacity issues with the existing system, it would be their responsibility to upgrade the infrastructure. A previously suggested condition, which sought details of the upgrading of the foul water sewage system, is no longer considered necessary.

The previous scheme has raised no objection to the proposal subject to a scheme for surface water drainage and foul water being submitted prior to the commencement of development. Subject to a satisfactory update to be provided by the applicant and LLC (Drainage) following the drafting of this report, it is not considered that the proposal would lead to harm to the quality of groundwater from surface or foul water in accordance with Saved Policy NE14 of the Local Plan and Policy DM7 of the emerging SADMP.

Archaeology

The application has been accompanied by an Archaeological Survey in conformity with Saved Policy BE14 of the Local Plan and Policy DM13 of the SADMP.

Leicestershire County Council (Archaeology) has recommended the application be approved subject to conditions. The advice provided is the same as that provided for the previous application (our ref: 14/01274/OUT). By virtue of the scale of the proposed development, and lack of previous disturbance to the site, there is a reasonable likelihood that archaeological remains are present within the application site and would be impacted by the proposals. It is therefore recommended that the current application is approved subject to conditions to secure a programme of archaeological mitigation including, as necessary, intrusive and non-intrusive investigation and recording.

It is therefore considered that the proposal is in accordance with Saved Policies BE14 and BE16 of the Local Plan and emerging Policy DM13 of the SADMP.

Ecology

The application has been accompanied by an Ecology Report. The content of this has been considered by Leicestershire County Council (Ecology). Leicestershire County Council (Ecology) has raised no objections to the proposal, and has submitted the same comments as submitted for the previous application (our ref: 14/01274/OUT). It has been commented that the survey did not note any species of more than local significance that would be impacted upon by the development. However, the hedgerow along the south eastern boundary, the plantation along the south western boundary and a veteran Oak (T3) sited within the south eastern boundary have been considered as important and worthy of retention. Accordingly, conditions are proposed to secure this.

It is considered that the proposal would accord with the provision of Policy DM6 of the emerging SADMP with regarding to ecological interests.

Pollution

Saved Policy NE2 and Policy DM7 of the emerging SADMP seek to prevent the risk of pollution through development.

Environmental Health (Pollution) has raised no objection to the proposal subject to conditions relating to a scheme of investigation for any possible land contamination on the site being carried out prior to the commencement of development, and any remediation works so approved being carried out prior to the site first being occupied.

Subject to those conditions it is not considered that the proposed development would lead to an issue with contaminated land and would be in accordance with Saved Policy NE17 of the Local Plan and Policy DM7 of the emerging SADMP.

Agricultural Land

Although the application would result in the loss of agricultural land, in accordance with Paragraph 112 of the NPPF, the site does not comprise of the Best and Most Versatile agricultural land and therefore this would not weigh against the scheme in this instance.

Other Matters

Concerns have been raised regarding pedestrian and emergency vehicle access within and around the site and in relation to the design of the proposed dwellings. As appearance and layout are not for determination at this stage, full details have not been provided. These matters would be subject for consideration at the reserved matters stage.

Street Scene Services (Waste) has raised no objections to the application, subject to a requested condition to secure the provision of waste and recycling storage and collection for the scheme. It is considered that this matter can be addressed through the detailed consideration of reserved matters submissions. Therefore a separate condition is not required for this outline proposal. It has been suggested that there are high voltage power cables which cross the site. In response to the previous planning application for 49 units and Electricity Wayleave was received from Western Power. This confirmed that it would be the responsibility of Western Power to underground the overhead cable at their expense if necessary.

Concerns have been raised that the existing trees along the site boundaries would result in an unacceptable level of overshadowing to the proposed dwellings, which would result in pressure for their removal. This concern would be addressed through the layout of the development, in the determination of the subsequent reserved matters application. Further, appropriate tree protection has been secured by way of condition on this application.

Conclusion

It is considered that the application proposal is within a sustainable location with sufficient infrastructure and provides both market and affordable housing (in which the Council has a shortfall) and that these are real and significant material considerations in favour of supporting the proposal. The previous reason for refusal does not confirm a material harm in terms of Policy NE5. It highlights a failure to fall within a settlement boundary. This is therefore a 'technical' breach of policy.

Subject to the updates awaited as part of the consultation on this revised application, principally relating to surface water drainage and footpath improvements, the proposal is not anticipated to attract any material technical planning objections with regard to ecology, archaeology, heritage, flood risk, or highways (impacts that can be addressed through appropriate conditions. Nor is there a subjective landscape objection raised either to this proposal or in the reason for refusal on the original application proposal (14/01274/OUT).

Collectively, it is considered that the above factors weigh in favour of recommending that permission be granted. In reaching this recommendation the views and concerns raised by local residents have been carefully considered and taken into account.

RECOMMENDATION:- Grant subject to conditions and S106 agreement, such agreement making provision for contributions towards:

- Affordable Housing - 19 units, approximately 40%
- Education - £119,412.82 towards Secondary Education
- Highways - Travel Packs - £52.85 per pack, 6 month bus passes, two per dwelling (average £350.00 per pass), new/improvements to 2 nearest bus stops (including raised and dropped kerbs to support modern bus fleets with low floor capabilities - £3263.00 per stop), information display case at a nearest bus stop (to inform of the nearest bus services in the area - £120.00 per display).
- Health – in the region of £24,897.18 to contribute towards the extension of the Markfield GP Practice.
- Public Open Space – figure to be confirmed

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan and emerging local planning policies, as summarised below according to their degree of consistency with the National Planning Policy Framework, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan as it would be a sustainable development, would not have an adverse impact upon the character and appearance of the countryside, flooding, ecology, biodiversity and archaeology, highway safety or residential amenity and would contribute to the provision of affordable housing and other infrastructure and services.

Hinckley & Bosworth Core Strategy (2009):- Policies 7, 10, 15, 16, 19 and 24.

Hinckley & Bosworth Local Plan (2001):- Policies RES5, IMP1, REC2, REC3, NE5, NE2, NE14, BE1, BE16 and T5.

Site Allocation and Development Management Policies DPD (2014): - Policies DM3, DM4, DM7, DM10, DM13, DM17

In dealing with the application, the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application.

Conditions:-

- 1 An application for the approval of reserved matters shall be made within three years from the date of this permission and the development shall be begun not later than two years from the date of approval of the last of the reserved matters to be approved.
Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 Approval of the following details (hereinafter called "reserved matters") shall be obtained from the local planning authority in writing before any development is commenced:
 - a) The layout of the site including the way in which buildings, routes and open spaces are provided and the relationship of these buildings and spaces outside the development.
 - b) The scale of each building proposed in relation to its surroundings.
 - c) The appearance of the development including the aspects of a building or place that determine the visual impression it makes.
 - d) The landscaping of the site including the provision of 20% Woodland Planting, treatment of private and public space to enhance or protect the site's amenity through hard and soft measures.
Reason: This planning permission is submitted in outline form only and the reserved matters are required to be submitted in accordance with the requirements of Part 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2010.
- 3 Construction shall be limited to 08:00 - 18.00 hrs Monday to Friday and 09:00 - 13:00hrs Saturdays with no working on Sundays or Bank Holidays.
Reason: To ensure the protection of neighbouring residential amenity during construction to accord with Policy BE1 (criterion i) of the adopted Hinckley and Bosworth Local Plan 2001 and emerging Policy DM7 of the Hinckley and Bosworth

Site Allocations and Development Management Policies Development Plan Document 2014.

- 4 No development shall commence until a Construction Transport Management Plan (TMP) is submitted to and approved in writing by the local planning authority. The plan shall set out details and schedule of works and measures to secure:-

- a) cleaning of site entrance, facilities for wheel washing, vehicle parking and turning facilities;
- b) the construction of the accesses into the site, the erection of any entrance gates, barriers, bollards, chains or other such obstructions; and
- c) details of the route to be used to access the site, including measures to ensure a highway condition inspection prior to commencement and any required repair works upon completion of construction.

Reason: To ensure the protection of neighbouring residential amenity during construction to accord with Policy BE1 (criterion i) of the adopted Hinckley and Bosworth Local Plan 2001 and emerging Policy DM7 of the Hinckley and Bosworth Site Allocations and Development Management Policies Development Plan Document 2014 .

- 5 No development shall commence until representative samples of the types and colours of materials to be used on the external elevations of the proposed dwellings and garages shall be deposited with and approved in writing by the local planning authority, and the scheme shall be implemented in accordance with those approved materials.

Reason: To ensure that the development has a satisfactory external appearance to accord with Policy BE1 (criterion a) of the adopted Hinckley and Bosworth Local Plan 2001 and emerging Policy DM10 of the Hinckley and Bosworth Site Allocations and Development Management Policies Development Plan Document 2014 .

- 6 No development shall commence until such time as the proposed ground levels of the site, and proposed finished floor levels have first been submitted to and approved in writing by the Local Planning Authority. The approved proposed ground levels and finished floor levels shall then be implemented in accordance with the approved details.

Reason: In the interests of visual amenity, to accord with Policy BE1 (criterion a) of the adopted Hinckley and Bosworth Local Plan 2001 and emerging Policy DM10 of the Hinckley and Bosworth Site Allocations and Development Management Policies Development Plan Document 2014.

- 7 The development shall be carried out in accordance with the recommendations of the Ecology Report by Aspect Ecology dated November 2014.

Reason: In the interests of ecology and biodiversity in accordance with Policy DM6 of the emerging Hinckley and Bosworth Site Allocations and Development Management Policies Development Plan Document 2014.

- 8 Notwithstanding the arboricultural report dated 7th October 2014, prior to the commencement of development an updated full Arboricultural Implications Assessment and Tree Protection Plan to BS5837 2012 to include hedgerows will be submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of ecology and biodiversity in accordance with emerging Policy DM6 of the Hinckley and Bosworth Site Allocations and Development Management Policies Development Plan Document 2014.

- 9 No development shall commence until drainage details for the disposal of surface water and foul sewage have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented in full before the development is first brought into use.
Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with Policies NE13 and NE14 of the adopted Hinckley and Bosworth Local Plan 2001 and emerging Policy DM7 of the Hinckley and Bosworth Site Allocations and Development Management Policies Development Plan Document 2014.
- 10 No development shall commence until a scheme for the investigation of any potential land contamination on the site has been submitted to and agreed in writing by the local planning authority which shall include details of how any contamination shall be dealt with. The approved scheme shall be implemented in accordance with the agreed details and any remediation works so approved shall be carried out prior to the site first being occupied.
Reason: In the interests of protecting the amenity of future occupiers from possible contamination to accord with Policy NE2 of the adopted Hinckley and Bosworth Local Plan 2001 and emerging Policy DM7 of the Hinckley and Bosworth Site Allocations and Development Management Policies Development Plan Document 2014.
- 11 If during development, contamination not previously identified is found to be present at the site, no further development shall take place until an addendum to the scheme for the investigation of all potential land contamination is submitted to and approved in writing by the local planning authority which shall include details of how the unsuspected contamination shall be dealt with. Any remediation works so approved shall be carried out prior to the site first being occupied.
Reason: In the interests of protecting the amenity of future occupiers from possible contamination to accord with Policy NE2 of the adopted Hinckley and Bosworth Local Plan 2001 and emerging Policy DM7 of the Hinckley and Bosworth Site Allocations and Development Management Policies Development Plan Document 2014.
- 12 The access should have a minimum width of 4.8 metres wide for at least the first 5 metres behind the highway boundary. The access drive shall be provided before any dwelling hereby permitted is first occupied and shall be maintained thereafter.
Reason: In the interests of highway safety to accord with Policy T5 of the adopted Hinckley and Bosworth Local Plan 2001.
- 13 No demolition/development shall take place/commence until a programme of archaeological work, commencing with an initial phase of geophysical survey and/or trial trenching, has been detailed within a Written Scheme of Investigation, submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:
- The programme and methodology of site investigation and recording (including the initial trial trenching, assessment of results and preparation of an appropriate mitigation scheme)
 - The programme for post-investigation assessment
 - Provision to be made for analysis of the site investigation and recording
 - Provision to be made for publication and dissemination of the analysis and records of the site investigation

- Provision to be made for archive deposition of the analysis and records of the site investigation
 - Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
Reason: To safeguard any important archaeological remains potentially present in accordance with Saved Policies BE14 and BE16 of the Hinckley and Bosworth Local Plan and emerging Policy DM13 of the Hinckley and Bosworth Site Allocations and Development Management Policies Development Plan Document 2014.
- 14 No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (13).
Reason: To safeguard any important archaeological remains potentially present in accordance with Saved Policies BE14 and BE16 of the Hinckley and Bosworth Local Plan 2001 and emerging Policy DM13 of the Hinckley and Bosworth Site Allocations and Development Management Policies Development Plan Document 2014.
- 15 The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (13) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.
Reason: To safeguard any important archaeological remains potentially present in accordance with Saved Policies BE14 and BE16 of the Hinckley and Bosworth Local Plan and emerging Policy DM13 of the Hinckley and Bosworth Site Allocations and Development Management Policies Development Plan Document 2014.
- 16 Development shall not begin until details of design for off-site highway works being traffic calming measures on Main Street at, or in the vicinity of its junction with Hawthorne Drive, have been approved in writing by the local planning authority; and the 10th dwelling to be served by Beech Drive shall not be occupied until that scheme has been constructed in accordance with the approved details.
Reason: The proposal will lead to an increase in turning traffic at the junction of Hawthorne Drive with Main Street where visibility is restricted. The improvements are therefore required in the interests of highway safety in accordance with Policy T5 of the Hinckley and Bosworth Local Plan 2001.

Notes to Applicant:-

- 1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.
- 2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.
- 3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.
- 4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

- 5 Severn Trent Water advise that although the statutory sewer records do not show any public sewers within the area specified, there may be sewers that have been adopted under the Transfer of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to or directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you in obtaining a solution which protects both the public sewer and the building. Severn Trent can be contacted on telephone number 0116 234 3834.

Contact Officer:-

